

## REMARKS

### 1. The Examiner's Rejections

Claims 1-6, and 17 are rejected under 35 USC 102(e) as being anticipated by Kari (U.S. Patent 6,480,485). Claim 7 is rejected under 35 USC 103(a) as being unpatentable over Kari in view of Hamilton (U.S. Patent 6,496,499). Claims 9-12, 18-20 are rejected under 35 USC 103(a) as being unpatentable over Kari in view of Brunner (U.S. Patent 6,298,234). Claims 13-16 are rejected under 35 USC 103(a) as being unpatentable over Kari and Brunner in view of Freeny (U.S. Patent 6,490,443). The rejections are respectfully traversed in view of the following remarks.

### 2. The Claims Are Patentably Distinct over Primary Reference Kari

The multiple rejections based on Kari as a primary reference will be addressed collectively hereinafter since Kari as a reference is improper to combine with any of the other references cited and thus such a combination does not teach, disclose or suggest the present invention as claimed. Most notably, the invention in Kari is directed to solving problems in a network which is completely unlike the network in the present invention.

The present invention is directed to a simple and elegant system for providing temporary wireless services to a user on a pay per use basis in a wireless *local area network*, i.e. a *wireless LAN*. See, e.g. Specification, page 2, lines 3-4. In the present invention, users may be charged for the temporary wireless services on a per time basis, a per packet basis, a per byte basis and/or on a per transaction basis within such a *wireless LAN*. See, e.g. Specification, page 2, lines 13-15. The present Specification makes it very clear that the present invention operates within such a *wireless LAN*, e.g. "a *wireless local area network* communication system 10 is illustrated for providing temporary

wireless services to one or more users on a pay per use basis.” See, e.g. Specification, page 4, lines 3-5, See, also e.g. FIG. 1.

In complete contrast, Kari relates to an entirely different invention, e.g. a GSM (Global System for Mobile Communication) mobile communications system with service being provided by GPRS (General Packet Radio Service). See eg.g. Kari, Col. 2, lines 25-35. This type of network and service is the complete opposite of the *wireless LOCAL Area Network* as described in the present invention.

Notably, the entire premise of Kari is to develop a billing system which addresses problems unique to such a GPRS network, e.g. Kari relates to a “charging information collecting system which is independent of the billing system implementation in a packet radio network” such as this GPRS network. Kari, Col. 2, lines 14-16. This independent billing system is necessary to counteract the many problems with conventional billing in such a multi-node/multi-operator system which is the norm in a GPRS system as described in Kari.:

One of the problems is how to carry out charging in the GPRS network. User-related data transmission statistics, used for charging the user, are normally gathered at the serving GPRS support nodes SGSN and at the gateway GPRS support nodes GGSN. The SGSN collects information about the radio interface usage and the GGSN collects information about the data network usage. The number of SGSNs and GGSNs in an MSC service area can be quite high, tens or even hundreds of nodes. However, no suggestions exist as to how to carry out charging using such scattered charging information. In the GSM mobile communication network, the billing records (Call Detailed Records) are typically generated at the mobile communication network or in an Intelligent Network IN coupled thereto. However, there are no direct interfaces from the GPRS system to the mobile network or the IN suitable also for the GPRS charging. A further problem is that the billing centers and the interfaces they use have not been standardized even in the mobile communication networks and are consequently different for every operator. This would require implementing different interfaces in different GPRS networks. Similar problems may also occur in other packet radio networks of the GPRS network type. Kari, Col. 1, line 54 – Col. 2, line 9.

These problems described and addressed by the invention in Kari are uniquely related to a GPRS system which supports things like roaming, multiple operators and many users crossing over from various operators and various subnetworks. It is these problems unique to this type of GPRS network that necessitated the Kari invention where the operator’s billing system is freely located to avoid these problems, e.g.:

The operator's billing system, which carries out the final subscriber billing on the basis of the charging information collected, may be located freely as it is not a part of the actual packet radio network. In the example of the figure, the charging system is placed apart from the actual packet radio network in a specific charging center BC. Alternatively, it may be situated e.g. at the MSC. The exact implementation of the charging center BC may vary operator-specifically. The exact implementation of the BC is not essential to the present invention, because it is generally applicable to different charging centers. Kari, Col. 5, lines 7-17.

Such problems are simply not encountered in a wireless LAN of the present invention since the billing and tracking can more easily be accomplished since the users are simply tracked and billed for their usage within the LIMITED range of the wireless LAN, e.g. "Typically, the user's usage amount for the temporary wireless service connection will be tracked from the moment the user is assigned an IP address to the moment the temporary wireless service connection for the user is disconnected or terminated." Specification, p. 6, lines 25-27.

As further example of the differences between Kari and the present invention, Kari clearly details the function of roaming within the GPRS network which would be completely irrelevant in the context of the present invention, e.g.:

The inter-operator backbone network is a network through which the GGSNs of different operators may communicate with one another. This communication is required to support ***GPRS roaming between different GPRS networks.*** Kari, Col. 4, lines 23-27.

Once again, the present invention relates to billing within a limited range wireless LAN, rather than one where a user is roaming between different networks.

Kari further provides:

The gateway GPRS support node GGSN is also used for storing location information of GPRS mobile stations. The GGSN also routes mobile-terminating (MT) data packets. The GGSN also comprises a database which maps together the network address of the mobile station, e.g. in the IP, X.25, or CLNP network, or simultaneously in a plurality of them, and ***the GPRS roaming identity of the mobile station in the GPRS network.*** Kari, Col. 4, lines 45-53.

The BGGSN address to which other support nodes send charging information may be either fixed or dynamic. In the former case, the support node SGSN or GGSN always sends the charging information to the same BGGSN whose address is permanently stored in the support node. In the latter case, the BGGSN to which the charging information is sent varies e.g. according to the service type or subscriber. In case the address varies according to subscribers, the address of the correct BGGSN is given to the support node when the subscriber begins to use a GPRS service. The BGGSN to which the support node sends the charging information may be within the network of the same or a different operator. For example, the SGSN in the network controlled by the operator 1 may send charging information to the BGGSN of the same network, when the subscriber's home network is the network of the operator 1. However, the same SGSN may also send charging information to the BGGSN of the operator 2, when the home network of the subscriber 2 is the network controlled by the operator 2 and *the subscriber is roaming in the network of the operator 1*. In such a case, a data packet containing the charging information is routed from one network to another the same way as other data packets. In a similar manner, the BGGSNs (and consequently BCs) of different operators may also exchange information by sending data packets from one network to another via the inter-operator backbone network or data network. It is also possible that the SGSN sends the charging information to the BGGSN of the operator 1, even if the home network of the subscriber 2 is the network controlled by the operator 2 and *the subscriber is roaming in the network of the operator 1 (the visitor network)*. Kari, Col. 5, line 53-Col. 6 line 16.

It is clear from the above that the invention in Kari is clearly based on a network with the ability and provision of ROAMING within the network. In view of this, the teachings of Kari would be completely unnecessary in the present invention since the present invention teaches a pay per use system which operates in a *wireless LAN* and NOT a GPRS communication system which supports things like roaming. It is known to those skilled in the art that a *wireless LAN* does not have "roaming" and consequently would not have the problems with billing as a result "roaming" users and resulting complications in billing as described in Kari.

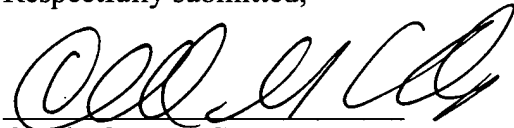
Accordingly, in view of the above, Applicants respectfully submit that the various rejections based on Kari as a primary reference are improper and must be withdrawn.

### 3. Conclusion

The rejections are deemed to be respectfully traversed and the claims allowable over the prior art. Applicant respectfully requests entry of the above remarks and favorable action in connection with this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to AT&T Corp. Account No. 01-2745. The Examiner is invited to contact the undersigned at (908) 532-1882 to discuss any matter concerning this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Cedric G. DeLaCruz', written over a horizontal line.

Cedric G. DeLaCruz  
Registration No. 36,498

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